THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.25303 OF 2006

Between:

1.K.Srinivasa Rao and nine others

……..Petitioners

vs.

Andhra University, Visakhapatnam, AndhraPradesh, represented by its Registrar.

…….Respondents.

O R D E R:

This writ petition is filed by the petitioners declaring the action of the respondent-University in not considering the applications of the petitioners and sending call letters to them as illegal and seeking a direction to the respondent to consider the applications of the petitioners for selection by sending interview call letters to them and allow them to attend interview for the posts of Attender/Mess Boy/Mess Maid along with others and to consider their case for appointment.

The facts of the case in brief are that the petitioners, who belong to SC, ST and Physically Handicapped categories, made their applications before the respondent Office under the certificate of posting, but the same were not considered and the respondent officials are preparing selection lists by showing favour to their own candidates. Hence, the present writ petition is filed.

The learned counsel for the petitioners submits that as per the instructions appended to the application with regard to Scheduled Caste & Scheduled Tribe categories, the method of recruitment is based on merit in the qualifying examination and interview. As far as the disabled category is concerned, the method of recruitment is based on merit in the qualifying examination, degree of disability, age and interview. It is also submitted that as the petitioners got good marks in the qualifying examination, they are entitled for sending call letter.

The learned Standing Counsel appearing for the respondent produced G.O.MS.No.214, dated 08.05.2001 issued by the Government of Andhra Pradesh, wherein the Government has decided to fill up all the back-log vacancies of Scheduled Castes & Scheduled Tribes. The Government has also decided to waive the written examinations including interviews recruiting agencies except the Andhra Pradesh Public Service Commission and the selections shall be made only on the basis of marks obtained in the qualifying academic examinations passed by the candidates. The learned counsel also submitted that as the authorities of the University issued instructions contrary to G.O.Ms.No.214, dated 08.05.2001 and when the same came to the light of the State Government, the Additional Secretary to Government, Higher Education addressed a letter, dated 25.01.2006 to the Registrar, Andhra University, Visakhapatnam, to the effect that orders have been issued in G.O.Ms.No.214, GA (Ser.A)

Department, dated 08.05.2001 that the method of selection by written examination and interviews (oral tests) for vacancies for SCs., and STs., in all categories of posts, be relaxed and that the selection for such limited recruitment of SCs., and STs., be made on the basis of marks obtained in the qualifying academic examinations by waiving written examinations and interviews (oral tests) to fill up the backlog vacancies. Regarding time limit for filling up of backlog vacancies of SCs/STs issued in the said G.O., the time limit has been extended from time to time to fill up the backlog vacancies of SCs./STs., and last extended upto 31.03.2006 vide G.O.Ms.No.257 GA (Ser.A) department, dated 23.06.2005.

In response to the said letter, dated 25.01.2006, the authorities of the University are scrutinizing all the applications and selecting the candidates on the basis of the qualifying marks obtained by the candidates in the qualifying examination.

In view of the statement made by the learned Standing Counsel that the University is going to consider the case of all the candidates on the basis of the marks obtained in the qualifying academic examinations, the question of sending call letters for written examinations and interviews (oral tests) to fill up the backlog vacancies does not arise.

The writ petition is, therefore, closed.

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N.V.RAMANA J.,

Dt.13.03.2007

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